



FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU
SOUTH CENTRAL REGION

Tampa Office
2203 N. Lois Ave., Suite 1215
Tampa, FL 33607

August 3, 2005

Mr. Adam Venter
Okeechobee, FL

NOTICE OF UNLICENSED OPERATION

Case Number: EB-05-TP-161
Document Number: W20053270003

The Tampa Office received information that an unlicensed broadcast radio station on 100.9 MHz was allegedly operating in Okeechobee, FL. On July 12, 2005, agents from this office confirmed by direction finding techniques that radio signals on frequency 100.9 MHz were emanating from a structure behind the residence located at 602 SE 11th Avenue in Okeechobee, FL. The Commission's records show that no license was issued for operation of a broadcast station at this location on 100.9 MHz in Okeechobee, FL.

Radio stations must be licensed by the FCC pursuant to 47 U.S.C. § 301. The only exception to this licensing requirement is for certain transmitters using or operating at a power level that complies with the standards established in Part 15 of the Commission's rules, 47 C.F.R. §§ 15.1 *et seq.* Your operation on frequency 100.9 MHz was measured at 1,431 µV/m at 331.3 meters. This exceeds the allowable unlicensed limit of 250 microvolts per meter (µV/m) at 3 meters established in Part 15. Thus, this station is operating in violation of 47 U.S.C. § 301.

You are hereby warned that operation of radio transmitting equipment without a valid radio station authorization constitutes a violation of the Federal laws cited above and could subject the operator of this illegal operation to severe penalties, including, but not limited to, substantial monetary fines, *in rem* arrest action against the offending radio equipment, and criminal sanctions including imprisonment. (*see* 47 U.S.C. §§ 401, 501, 503 and 510).

UNLICENSED OPERATION OF THIS RADIO STATION MUST BE DISCONTINUED IMMEDIATELY.

You have ten (10) days from the date of this notice to respond with any evidence that you have authority to operate granted by the FCC. Your response should be sent to the address in the letterhead and reference the listed case and document number. Under the Privacy Act of 1974, 5 U.S.C. § 552a(e)(3), we are informing you that the Commission's staff will use all relevant material information before it to determine what, if any, enforcement action is required to ensure

your compliance with FCC Rules. This will include any information that you disclose in your reply.

You may contact this office if you have any questions.

Ralph M. Barlow
District Director
Tampa Office

Attachments:

Excerpts from the Communications Act of 1934, As Amended
Enforcement Bureau, "Inspection Fact Sheet", July 2003